

**MINUTES  
of the  
FIRST MEETING  
of the  
WATER AND NATURAL RESOURCES COMMITTEE**

**June 12, 2007  
Room 307, State Capitol  
Santa Fe**

The first meeting of the Water and Natural Resources Committee was called to order on June 12, 2007 at 10:10 a.m. by Senator Phil A. Griego, chair, in Room 307 of the State Capitol in Santa Fe.

**Present**

Sen. Phil A. Griego, Chair  
Rep. Andy Nuñez, Vice Chair  
Rep. Paul C. Bandy  
Rep. Elias Barela  
Sen. Sue Wilson Beffort  
Rep. Ray Begaye  
Sen. Dede Feldman  
Sen. Clinton D. Harden, Jr.  
Rep. Dona G. Irwin  
Rep. Larry A. Larrañaga  
Rep. Kathy A. McCoy  
Sen. Cynthia Nava  
Sen. Mary Kay Papen  
Rep. Mimi Stewart

**Absent**

Rep. Joseph Cervantes  
Sen. Mary Jane M. Garcia  
Sen. Steven P. Neville  
Rep. Don L. Tripp

**Advisory Members**

Sen. Rod Adair  
Sen. Carlos R. Cisneros  
Rep. Anna M. Crook  
Rep. Nora Espinoza  
Sen. Gay G. Kernan  
Rep. Ben Lujan  
Rep. James Roger Madalena  
Sen. Cisco McSorley  
Rep. Danice Picraux  
Sen. Leonard Lee Rawson  
Sen. Nancy Rodriguez  
Sen. John C. Ryan  
Rep. Henry Kiki Saavedra  
Rep. James R.J. Strickler  
Rep. Peter Wirth

Sen. Vernon D. Asbill  
Rep. Candy Spence Ezzell  
Sen. Timothy Z. Jennings  
Rep. Rhonda S. King  
Rep. Eric A. Youngberg

**Guests**

The guest list is in the original meeting file.

**Staff**

Gordon Meeks  
Jeret Fleetwood

**Tuesday, June 12**

Senator Griego began by welcoming members of the committee and the public and by having committee members and staff introduce themselves.

**Water Issues for 2007**

John D'Antonio, state engineer, and Estevan Lopez, Interstate Stream Commission, provided the committee with an overview of water issues facing New Mexico for 2007. Mr. D'Antonio began by telling the committee that Judge Reynolds had affirmed the state engineer's authority to implement active water resource management (AWRM) rules. He reviewed the AWRM program begun by the Office of the State Engineer (OSE). He explained that the program had recently survived a court challenge and was moving ahead with the hiring of water masters, development of basin-specific rules and regulations and metering of water users on the lower Rio Grande. Mr. D'Antonio also described public outreach efforts the OSE is making regarding AWRM, including listening sessions and public workshops. He also discussed future plans for AWRM, which include metering of water users on the Mimbres River and the Rio Gallinas, licensing of water rights and the hiring of still more water masters and development of manuals for them.

Next, Mr. D'Antonio discussed the status of New Mexico's compliance with the Rio Grande Compact. He explained that the large amount of rainfall received in southern New Mexico left the state with the maximum allowable compact delivery credit of 180,000 acre-feet of water, which should be helpful in case 2007 proves to be a dry year. Mr. D'Antonio also discussed the status of the Pecos River Compact, pointing out that New Mexico also has a compact delivery credit on the Pecos River.

Mr. D'Antonio went on to discuss the status of the pending settlements involving Native American tribes: the *Navajo* settlement, the *Aamodt* settlement and the *Taos* settlement. He indicated that the congressional legislation required for approval of the Navajo-Gallup Project, a major part of the *Navajo* settlement, had been introduced on April 19, 2007 and is awaiting a hearing. Mr. D'Antonio went on to note that the imported water issues in the *Aamodt* and *Taos* settlements have been resolved and that the federal-state cost-sharing agreements still need to be worked out. He also provided the committee with current cost estimates for each of the settlements.

Mr. D'Antonio also discussed the approval of regional and state water plans, acequia construction and management workshops conducted by the OSE, development of a strategic

water reserve, the safety status of New Mexico's dams and the work done toward implementing House Memorial 42 from the 2007 legislative session, which requests the OSE to conduct meetings with water stakeholders concerning the statute requiring 40-year water plans.

Questions and comments included:

- whether AWRM interferes with ongoing water rights adjudications;
- tax credits for water conservation programs;
- uses of the New Mexico Irrigation Works Construction Fund;
- management plans for lands with water rights purchased and retired by the state;
- long-term water supply projects;
- projects to make use of brackish water;
- OSE's use of bond money to pay for recurring expenses in adjudications;
- status and location of dams listed as unsafe by the OSE;
- development of regional water plans;
- allocation of money for adjudications between OSE and the Administrative Office of the Courts;
- status of pending Native American water rights settlements;
- water acquisition for the Desert Rock power plant;
- increases in funding requests by the OSE;
- transfers of water rights to mutual domestic water associations; and
- authority of the OSE to adjudicate water rights.

Senator Griego listed a number of issues he would like to see the committee address, such as concerns voiced by those who refuse to sign on to the *Aamodt* settlement, acequia construction programs, water transfers and licensed water rights. He also indicated that he would like to see a representative from the Governor's Office attend the committee's meetings whenever possible.

### **Work Plan**

The committee developed a work plan and selected meeting dates and locations. Staff noted that the Legislative Council has provided each committee with suggested areas of focus for the interim. The committee also added the following items to the proposed areas of focus:

- status of planning for the Arizona Water Rights Settlement on the Gila River; and
- relationship between water adjudications, active water resource management and water rights transfers.

The committee also proposed the following meeting dates and locations, which staff noted would require the approval of the Legislative Council:

July 16-17	Clovis
August 28-29	Taos
September 24-26	Ruidoso
October 29-30	Aztec
November 26-27	Santa Fe

There being no further business, the committee adjourned at 1:12 p.m.